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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/853,274

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David A. Monroe

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EXAMINER

LE, VU

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/853,274

Applicant(s)

MONROE, DAVID A.

Examiner

Vu Le

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) 78-89 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 78-89 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected groups II and III, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 20 October 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

3. Claims 1-7, 9-17, 21-58, 62-76 are rejected under 35 U.S.C. 102(e) as being anticipated by DaGraca et al, US 6,646,676 B1.

Re claim 1, with reference to figure 2 below,

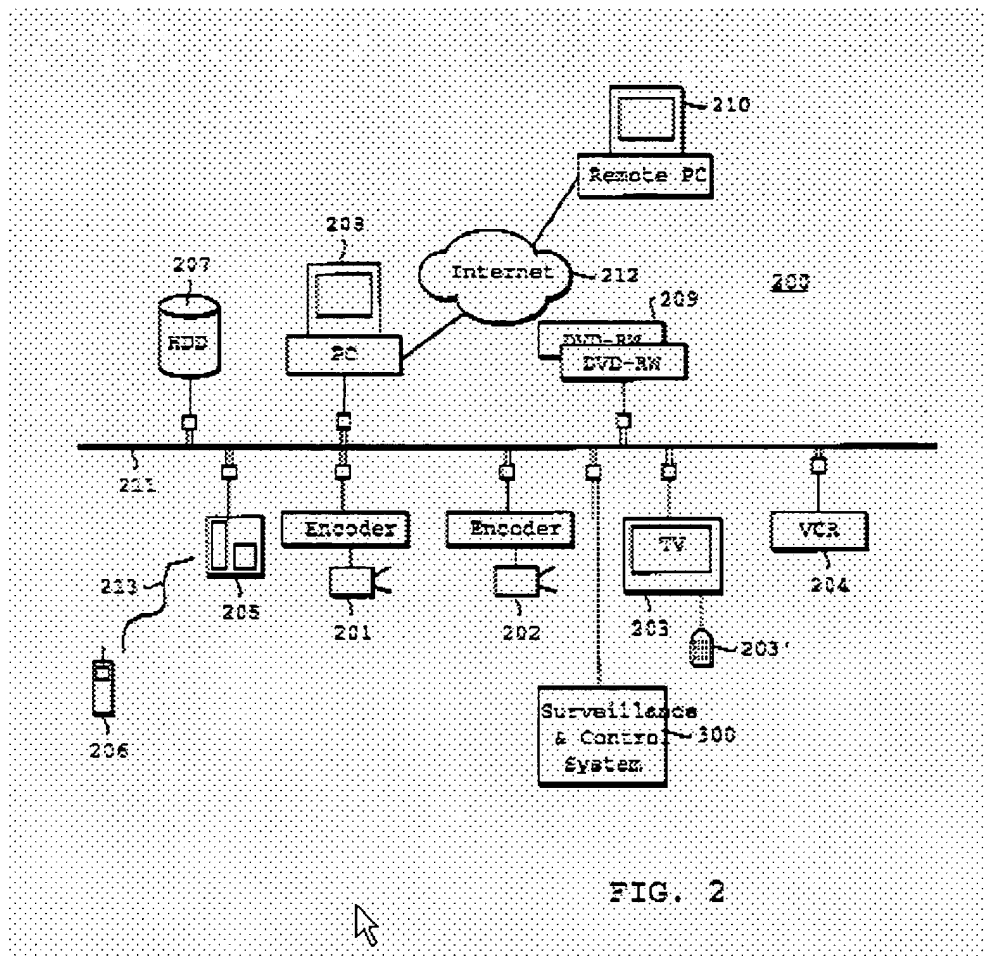


FIG. 2

DaGraca discloses a method for collecting, selecting and transmitting selected data available at remote location (video data are generated and transmitted from cameras 201-202, which are disposed remotely in a network 211, video data are archived or recorded for subsequent selective viewing, see col. 5, line 9-15) to selected stations on a network (i.e. either local station 203 or remote station 210, see col. 4, line 30-40, col. 12, line 31-39) comprising the steps of:

- a. collecting data based on a event occurring at the remote location (col. 5, line 16-23)

b. prioritizing the data and generating a prioritized signal from the prioritized data (col. 6, line 1-5, 27-38, and/or col. 12, line 28-29, video data can also be prioritized by the description scheme instantiator, see col. 10, line 35-67);

c. transmitting the prioritized signal to a receiving station located on a network based on the priority (col. 6, line 47-67, col. 12, line 20-45); and

d. managing the transmitted prioritized signal at the receiving station (col. 12, line 20-45, i.e. prioritizing response activities is a form of managing prioritized signal at the local and/or remote surveillance station).

Re claim 2, which further recites including in the prioritizing step the time and location of the event in the transmitted prioritized signal (see col. 6, line 27-38).

Re claim 3, which further recites wherein the collected data includes an image signal and wherein the transmitted prioritized signal includes an image component (col. 6, line 27-38).

Re claim 4, which further recites wherein the collected data defines an original scene and wherein the transmitted data is generated in response to a modification of the original scene, the method further comprising:

- a. collecting the data on a pre-selected basis;
- b. defining and transmitting an original scene to the remote station;
- c. comparing subsequent scenes to the original scene;
- d. transmitting only those subsequent scenes differing from the original scene.

(See col. 6, line 47-67, col. 8, line 43 – col. 9, line 67 i.e. feature extraction and augmentation of the bitstream. In these segments, the original scene may be

established by the I-frame, modification to the original scene may be effected by the P and/or B-frame as expected in the disclosed MPEG coding scheme, which also governs transmission/coding of only difference data, and also content descriptions, which is governed by MPEG-7. Frames to be viewed for security interest are "selected". These selected frames are based on an "pre-defined" events, see col. 12, line 1-18).

Re claim 5, which further recites wherein the comparing step is completed at the camera (see col. 5, line 1. Note: encoding is MPEG, which governs the comparing step i.e. frame differencing).

Re claim 6, which further recites wherein the data is in the form of digital pixels and wherein the comparing step comprises identifying only those pixels altered from the original scene. (See discussion in claims 4-5 above. Note: MPEG encoding governs pixel data and differential encoding i.e. alteration of difference pixels from the original scene establishes by the I-frame).

Re claim 7, which further recites comprising the step of generating a change histogram from the change information created in the comparing step (see col. 8, line 62-65).

Re claim 9, which further recites including the step of tagging each transmitted image with unique identifying data (see col. 6, line 47-67, i.e. the tagging data is governed by the content descriptions).

Re claim 10, which further recites wherein the tagging step is performed at the remote location (based on figs. 2-3, the content description i.e. tagging takes place at the surveillance & control system 300, which is at a remote location in the network).

Re claim 11, which further recites wherein the identifying data includes the date and time of the data defining a scene (see col. 6, line 27-67. In this segment, the video data may also be tagged by user inputs, which include time/date customization).

Re claim 12, which further recites wherein the identifying data further includes the duration of the data defining a scene (see col. 6, line 27-67. In this segment, select frames for summarizing video of interest implies a specific duration of a security scene).

Re claim 13, which further recites including a plurality of cameras and wherein the identifying data further includes a camera identifier (see fig. 2, the plurality of cameras is governed by 201-202, and since the cameras may be switched and video data may be routed in the network, see col. 7, line 1-8, camera identifiers would have been inherent and necessitated).

Re claim 14, which further recites including a visual monitor at the remote location, wherein transmitted data may be selectively displayed at the monitor (see fig. 2, 208 or 210 for example, also col. 4, line 60-64, col. 12, line 31-45. Selective viewing has been previously discussed in claim 1).

Re claim 15, which further recites wherein transmitted data is displayed at the monitor in near real-time (the desire to achieve real-time performance is disclosed in DaGraca, see col. 3, line 42-52).

Re claim 16, see claim 9.

Re claim 17, which further recites wherein the unique identifying data is displayed with the displayed data (see col. 6, line 27-47, which discloses selected frames and identifying data are being examined).

Re claim 21, which further recites comprising the step of storing the transmitted data at the remote location (see fig. 2: 207 and/or 208, 210, i.e. any of these elements is capable of remote storage over the network).

Re claim 22, which further recites including the step of retrieving the data from the stored data on command (see col. 5, line 9-15, which discloses user selected viewing of stored images, thus implying upon command).

Re claim 23, which further recites including the step of tagging each transmitted image with unique identifying data (see discussion of claim 9 above).

Re claim 24, which further recites wherein the tagging step is performed at the remote location (see discussion of claim 10 above).

Re claim 25, which further recites wherein the identifying data includes the date and time of the data defining a scene (see discussion of claim 11 above).

Re claim 26, which further recites wherein the identifying data further includes the duration of the data defining a scene (see discussion of claim 12 above).

Re claim 27, see claim 13.

Re claim 28, which further recites wherein the managing step comprises generating an alarm at the receiving station (see col. 5, line 16-23, col. 12, line 31-39).

Re claim 29, see claim 14.

Re claim 30, see claims 28-29.

Re claim 31, see claim 21.

Re claims 32-37, the limitations as recited in these claims have been analyzed and rejected w/r to claims 1-7, 9-17 and 21-31.

Re claim 38, which further recites including a central management system and wherein the prioritizing step occurs after the collected data is sent to the management system (fig. 2:300, see also discussion in claim 1, also col. 5, line 25 – col. 6, line 67).

Re claim 39, which further recites including retransmission of the data based on the prioritization of the data at the central management system (see col. 5, line 25 – col. 6, line 67, which discloses detecting security events based on prioritization scheme(s), and then signaling such events to the rest in the network i.e., retransmission based on a customization scheme).

Re claim 40, which further recites wherein the retransmission step includes transmitting the data to selected recipients based on the prioritization step (see discussion of claim 39, also especially col. 6, line 27-46 and col. 12, line 20-29).

Re claim 41, which further recites wherein the retransmission step includes generating a visual icon on a graphic display at a remote location (see col. 12, line 21-29, i.e. PIP window serves as a visual icon).

Re claim 42, which further recites wherein the retransmission step includes generating a voice signal at selected remote locations (col. 12, line 21-29, i.e. recorded message).

Re claim 43, which further recites wherein the retransmission step includes a sub-step of defining a recipient hierarchy and retransmitting in sequence in accordance with the hierarchy (see col. 12, line 21-29, i.e. assigned priorities).

Re claim 44, DaGraca is silent in disclosing the step of providing a positive response signal to the central management system for indicating that a retransmitted

signal has been received by a selected recipient. However, DaGraca discloses that upon detection of an event, video and control signals are routed to other devices in the network for monitoring and controls (see col. 12, line 20-29). In order for data to be properly routed through the network, acknowledgements of transmission and receipts from the devices in the network are inherent and necessitated.

Re claim 45, which further recites including the step of password encoding recipients (see col. 6, line 18-46, col. 7, line 1-8, the “user” as disclosed is understood as an authorized user).

Re claim 46, which further recites including the step of managing the system through the central management system by a selected recipient after a retransmitted message has been received (see col. 6, line 18-46).

Re claim 47, which further recites wherein the prioritizing step occurs prior to the transmitting step. The limitations have been analyzed and rejected w/r to claims 1-3 above.

Re claim 48, which further recites wherein the prioritizing step occurs at a first hierarchy prior to the transmitting step and at a second hierarchy after the transmitting step (see col. 6, line 27-38, which reads on the disclosed priority of contact).

Re claim 49, which further recites including the step of generating a notification signal in response to a transmitted prioritized signal (see col. 6, line 35-38, i.e. sending alerts).

Re claim 50, which further recites wherein the notification signal is transmitted to selected recipients on a network (see col. 6, line 27-38, which discloses the recipients are selected recipients).

Re claim 51, which further recites wherein the notification signal is repeatedly transmitted until a selected recipient responds to the notification signal (see col. 6, line 27-38, which discloses a "no response" provision. Thus, repeating the notification in the event of no response is implied).

Re claim 52, see claims 48-51.

Re claim 53, which further recites wherein the notification signal is transmitted to monitoring stations on a network (see fig. 2, col. 6, line 27-38, col. 12, line 20-45).

Re claim 54, which recites wherein the notification signal is transmitted via telephonic means (see col. 6, line 27-38).

Re claim 55, which further recites wherein the notification signal is transmitted via e-mail (see col. 6, line 27-38).

Re claim 56, which further recites wherein the e-mail further includes an attachment including additional, event specific data (see col. 6, line 27-38).

Re claim 57, which further recites wherein the attachment is image data (see col. 6, line 27-38).

Re claim 58, which further recites wherein the receipt and response to the notification signal is password protected (see discussion in claim 45. Also, the authorized user access implies password protection).

Re claim 62, see discussion in claims 1-4, 43-48.

Re claim 63, see discussion in claims 6-7.

Re claim 64, see discussion in claims 1-4, 15.

Re claim 65, which further recites including the step of compressing the data prior to the transmitting step (see col. 5, line 1-8).

Re claim 66, which further recites wherein the compressing step further includes minimizing the amount of data to be transmitted without any loss of critical change data (see claim 65; minimizing the amount of data to be transmitted without any loss of critical change data is inherently governed by MPEG-based coding).

Re claim 67, which further recites including the steps of defining the data in blocks of data and tagging each block of data with a unique identifier for enhancing storage, search and retrieval (see discussion in claims 65-66; MPEG-based coding governs defining image data into blocks, and coding them according to block data identifier(s) i.e. tags).

Re claim 68, which further recites including the step of quantifying the amount of change between scenes (see discussion in claims 65-67; MPEG-based coding governs quantifying the amount of change between scenes. That is the whole essence of MPEG-based coding).

Re claim 69, which further recites including the steps of quantifying the amount of change between scenes and reporting such as an indication of level of motion (see discussion in claims 65-68, MPEG-based coding governs quantifying change between scenes as motion vector).

Re claim 70, which further recites including the step of ignoring anticipated or minimal changes in a scene by applying pre-selected criteria (see col. 12, line 1-19, which defines this aspect based on MPEG coding).

Re claim 71, which further recites including the step of blocking of specified regions of a scene to further enhance the monitoring, transmission and definition of the changes in the scene of a frame-to-frame basis (MPEG-based coding also governs this aspect via non-coding of background data, only the change between scenes).

Re claim 72, which further recites wherein the managing step further includes the step of correlating motion between two or more cameras to determine if a motion detection event should be identified in order to eliminate false alarms (see col. 12, line 1-20).

Re claim 73, which further recites including the step of controlling all functions and steps from a single interactive monitor screen (see fig. 2: 300 and its respective disclosure).

Re claim 74, which further recites including the step of providing simultaneous access for two or more monitor screens each allowing functions of the system to be controlled by that interactive monitor (see col. 12, line 20-45, i.e. local and remote monitoring and interactive controls are capable).

Re claim 75, which further recites including the step of detecting the appearance or disappearance of an object (col. 11, line 35-46).

Re claim 76, which further recites wherein the notification step includes detection of the presence of unauthorized events in a monitored zone and the transmitting step

includes transmitting the detection to selected remote stations on a network on a near real-time basis (see discussion in claims 1-4 and 15; detection of security events as disclosed in DaGraca implies unauthorized events in a monitored zone. This detection process is real-time).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over DaGraca '676 as applied to claim 4 above and further in view of Shives et al, US 2005/0063464.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

DaGraca fails to teach the step of masking specific regions of the scene in order to ignore changes in said region as claimed. However, such feature is well known and used in the art as evidenced by Shives (fig. 2: 230, para 0040), which uses a motion mask to select a block of pixels for examination. Therefore, the combined teaching of

DaGraca and Shives as a whole would make obvious the step of masking a region as claimed to provide selective analysis of pixel area(s) as taught in Shives (para 0040).

6. Claims 18-20, 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over DaGraca '676 as applied to claim 17 and 49 above and further in view of Kohno et al, US 2003/0048356 A1.

Re claim 18, DaGraca fails to further disclose as claimed the monitor further includes a map of the scene. However, such feature is well known and obvious as evidenced by Kohno (fig. 5, para 0062-0068), which utilizes a monitor with a map of the scene to provide a layout of the surveillance area and to indicate to a user the current state of the selected video camera. Therefore, the combined teaching of DaGraca and Kohno as a whole would have rendered obvious a monitor including a map of the scene for the same benefits as taught in Kohno.

Re claim 19, which further recites including a plurality of cameras and wherein an icon representing each camera is provided on the map. (See rejection of claim 18 above).

Re claim 20, which further recites including an indicator that is activated when the data from a specific camera is displayed on the monitor and deactivated at other times (see Kohno, para 0067-0068).

Re claim 77, which further recites wherein the notification step includes routing detected events, whereby the location of the incident may be visually located on a map at the remote station. (See discussion in claims 17-18 above).

7. Claims 59-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over DaGraca '676 as applied to claims 3 and 21 above and further in view of Leung et al, US 6,643,779.

Re claim 59, DaGraca does not disclose keeping a log of personnel access and an image of the access as claimed. However, such convention is well known and obvious as evidenced by Leung (see col. 3, line 38 – col. 4, line 10, col. 5, line 63-67), which discloses an internet-based security terminal that keeps track of access log and also suggests having a camera to capture video at the security terminal for authentication of personnel access. Therefore, the combined teaching of DaGraca and Leung as a whole would have rendered obvious the features of keeping a log of personnel access and an image of the access as claimed for the same benefits as taught by Leung.

Re claim 60, which further recites including the step of searching the database by any combination of specific individual, class of individual, by successful accesses, by unsuccessful accesses, by specific portal of entry with qualifiers of time, day, and location (see Leung, col. 3, line 38 – col. 4, line 10).

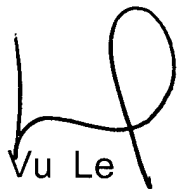
Re claim 61, the limitations as claimed have been analyzed and rejected w/r to claims 59-60 above.

Contact

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu Le whose telephone number is (571) 272-7332. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. Customer Service can be reached at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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